

**District VI Advisory Board
Minutes**
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**Monday
April 7, 2008
6:30 p.m.**

**Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom**

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. District VI councilwoman led the meeting with nine (9) District Advisory Board members in attendance, eight (8) city staff and thirty (30) members of the public who signed in.

Members Present

Charlie Claycomb
Janet Miller
Bob Schreck
Pat Randleas
C. Bickley Foster
Bob Aldrich
John VanWalleghen
Carol Skaff
Marsha Carr

Members Absent

Stacie Longwell
Jaya Escobar

Staff Present

Officer Mallard, Patrol North
Officer Carlson, Patrol South
Dale Miller, Planner
Terri Dozal, Neighborhood Assistant
Deb Legge, OCI
Julie Irvin, OCI
Libby Albers, ES
Officer Davidson, Patrol West

Guests

Listed at end

Council Member Fearey called the meeting to order at 6:30 p.m. welcoming everyone and asked members to introduce themselves and state their representation on the board.

Approval of Minutes

The minutes for March 3, 2008 were approved with amendments. (**Aldrich/VanWalleghen 9-0**)

Approval of Agenda

The agenda was approved with amendments. (**Aldrich/VanWalleghen 9-0**)

Public Agenda

1. **Scheduled items:** None
2. **Off-agenda items:** None

Staff Presentations

3. **Community Police Report**

Patrol West: *Officer Davidson* said on April 5th he assisted Sunflower neighborhood with a cleanup. There has been gang activity in the area and in Orchard Park there have complaints of loose dogs. The 900 block of Carter is a new home for the Bridges program that assists youth who have trouble living at home with learning life skills.

Patrol South: *Officer Carlson* 21 Beat Old Town stated officers are preparing for the River Festival May 9-18 by increasing staffing including bike patrols. Officers will be getting new yellow/black shirts with a more professional look. Papi's Club was having a lot of problems and has now officially closed. Also the "Flashbacks" club that closed will be re-opening under a new name "Fusion" and the owner hopes to attract a different clientele. We have been using reserve officers to assist with the prostitution problems along Broadway from Kellogg to Pawnee.

Patrol North: *Officer Mallard* stated officers did a prostitution sting with some arrests made. The stings will continue on a monthly basis. *Officer Sharp* is forming a Graffiti Task Force to review the ordinance and to include if retail stores are selling spray paint they would need to have some restrictions to do so.

***** **Action:** Receive and file

New Business

4. Arkansas River Corridor Access Plan (ARCAP)

Libby Albers, Environmental Services presented on a plan that is to evaluate the possibility of creating recreational opportunities on the river by utilizing existing access points within the City of Wichita. *Albers* gave the background per a PowerPoint presentation on this process to date including that within the past 12-18 months there had been three meetings to gather input from the public.

Aldrich asked how many sites would be legal access points and how would you prevent someone exiting onto private land. *There would be legal access on one side at each point, we won't have to take private land and we would use signage for "no trespassing"*. **VanWalleghen** asked about biological conditions if there would be any on going system warnings. *There will be informational signage about this but I'm not sure about daily testing of the river water.* **Schreck** stated the city needs to prepare for parking areas for trailers being used at the access points. It doesn't look like at this time you are prepared for that. *This will depend on the area of river and we'll need to look into this more.*

MF Mitchell, 1215 Forest questions the language of the consultant's report that states the public has rights of use and access to lands at four locations in Sedgwick County upstream of I-235 and the flood control structure. The four sites are the Big Slough canal between 151st street and the Arkansas River, 199th Street west on the south side of the river, North of 53rd street North on the west side of the river and at control structure IV called the "tubes" in the report. At all of these locations land adjacent to the Arkansas River was condemned for flood control purposes only, and the underlying rights belong to private parties, some of which were the landowners at the time of condemnation. In the area along the west side of the Arkansas river north of 21st street the city of Wichita paid for those underlying rights and some public use can be made of the land so long as those uses are compatible with the use of the flood control project. Downstream from I-235 the City has public access rights either by purchase for park purposes or by City ordinance declaring the bed and banks of the Arkansas River in Wichita a public park.

Barry Carroll, 1134 Coolidge Ave said he is in support of the project and would work to help support by serving on an advisory board for the plan.

Chris Collins, 1712 N Charles stated he enjoys the river, cautions on trespassing and to make the access points more convenient. About the bacteria level, I don't believe this is an issue as for water skiers but the plan does need some fine tuning. I'm in favor of the plan and recommend DAB adopts it.

James Johnson, 1211 Perry stated he is a kayak paddler instructor and before 1996 many river festivals events were held on the river. I teach water safety and Wichita should look at this as recreation for young people.

Debra Foster, 400 W. Central said she only gets out on the river on rare occasions but she has a good time when she does. We have a beautiful river to implement this plan.

Mary L Rivers, 6027 N Meridian said she doesn't canoe and is afraid of water but feels this should be available if people choose to do this. *Rivers* said she feels this would increase tourism and she may possibly use it if it had all the amenities.

Tom Neil said he doesn't live in Wichita but was representing the ARCAP South Wind Sierra club. *Neil* said he is interested in environmental issues and included there are limited rivers to go to in Kansas. I feel this will increase more responsible people using the river and encourage groups to do clean-up along the river. This can improve health and well being and promote our city.

Richard (didn't get last name) said there should be more policing of the river due to floating trash and is concerned about notification on these meetings.

Pat O' Conner, 2400 block of 27th said Kansas and Wichita need more entertainment venues, I don't want the government restricting me.

Skaff stated this was an exciting project with great entertainment opportunities and asked what is the liability if someone falls into the river? *This is a public waterway.* **Miller** included Irene Hart from Sedgwick Co. is putting together a group to discuss all these issues mentioned. **Claycomb** said this was a great idea to do. **Carr** stated she had been a member of the committee and only three of the ten spots marked in yellow are private properties. **Carr** also said the river quality's fecal coliform level is 2000 times less than it was 50 yrs ago. People now are not allowed to dump into it and if they are traveling along the river they can help to clean it up. **Aldrich** asked about dredging downtown and said Mr. Mitchell throws out lots of questions that he hopes won't be causing other problems. I wish we had info from Irene Hart now as there are lots of questions. I want to hold off on voting now. **Foster** said on the guidelines for future access I hope we hear more about it and we should approve it. **Schreck** said he had concerns of what Mitchell stated and if the dike fails it would flood the Moorings. **Skaff** asked if there was meeting notification just like for zoning cases? **Fearey** responded this presentation was announced as part of the DAB meeting and was sent out to media and is also posted on our website.

Albers finished saying for more information you can visit our website.

***** **Action:** The District VI Advisory Board made a motion to approve the Arkansas River Corridor Access Plan (ARCAP) as a guideline for future access point development within the City of Wichita.
(**VanWalleghen/Carr 9-0**)

5. **USD 259 Bond Issue CARE Campaign - CANCELLED**

A representative from the USD 259 School District will present information on the school bond issue campaign.

6. **Neighborhood Nuisance Enforcement Code Amendments Chapter 8.01 of the Code of the City of Wichita**

Deb Legge, Office of Central Inspection, presented on the proposed amendments to the nuisance enforcement code as a result of the recently approved transfer of various neighborhood code enforcement responsibilities and services from the Environmental Services Department to the Office of Central Inspection. *Legge* stated she had been here at a previous DAB meeting to explain the combining of both department inspectors into one department and these amendments are the final piece of the plan. Amendments to the code will add abatement authority and give OCI abatement purpose to follow procedures for notifying problem properties. Also included will be escalating fines for repeat offenders and we hope to reduce the number of repeat offenses by doing this. **Aldrich** asked about the fee for the first conviction, how much leeway does the judge have? *The judge could just give court costs but if the problem continues he can increase the fines.* **Foster** asked if people who don't have the money to maintain their property is there any help to assist these people and does the judge know about the info to give to people who need help. *The inspectors work with Senior Services to assist the elderly and the Housing department has money set aside to help with clean ups.* **Carr** stated Judge Rattner has asked neighborhoods to assist elderly with repairs and WIN (Wichita Independent Neighborhoods) would like to be involved in this process.

Legge also discussed amendments to chapter 11 which would provide more efficient enforcement by staff of parking violations and chapter 5 on graffiti would allow staff to revise the required notice letter.

***** **Action:** The District VI Advisory Board made a motion to approve the proposed ordinance amendments.
(**Carr/Aldrich 9-0**)

PLANNING

7. **ZON2008-00014**

Dale Miller, Planner presented the case background on a zone change from Limited Commercial "LC" to Office Warehouse "OW" zoning generally located south of 53rd Street North and west of Arkansas. DAB members were provided the MAPD staff report with their recommendations for review prior to the meeting.

No members of the public were present to discuss the case.

Board Members questions/concerns included: 1) at the front of this property are they running a used car lot and 2) will there be any dismantling of scrap.

***** **Action:** The District VI Advisory Board made a motion to recommend to the City Council **Approval** (**Foster/VanWallegghen 9-0**) of the request based on staff recommendations.

8. **ZON2008-00009**

Dale Miller, Planner presented the case background on a zone change from Limited Commercial “LC” to “GC” General Commercial generally located on the west side of Arkansas Avenue, ½ blocks south of 29th Street North, (2925 North Arkansas Street). DAB members were provided the MAPD staff report with their recommendations for review prior to the meeting.

No members of the public were present to discuss the case.

Joe Robertson, agent for the applicant stated the request is due to an upgrade of horsepower for the ice cream machine, all manufacturing would be done indoors and if the facility was ever sold it could only be used to make ice cream.

Board Members questions/concerns included: 1) does the applicant agree will all the requests of the MAPD?

***** **Action:** The District VI Advisory Board made a motion to recommend to the City Council **Approval** (**Van Wallegghen/Miller 9-0**) of the request based on staff recommendations subject to the provisions of Protective Overlay No. 209.

9. **CUP2008-05 AND ZON2008-07 DP-311 the Moorings Plaza II Commercial and Residential Community Unit Plan**

Dale Miller, Planner presented the case background on a zone change from “SF-5” Single-family Residential to Create DP-311 the Moorings Plaza II Commercial and Residential Community Unit Plan; zone change to LC Limited Commercial and NR Neighborhood Retail generally located south of 53rd Street North and west of North Meridian Avenue. This case was previously presented at DAB VI on March 3, 2008. DAB members were provided the MAPD staff report with their recommendations for review prior to the meeting.

Gene Rath, MKEC agent for the applicant stated several changes have been made from the previous presentation on March 3rd. *Rath* said the applicant was in agreement with the staff report but would like to remove condition #1 from the CUP (DP-311) conditions.

Board Members questions/concerns included:

- Using the phrase “NR” does this mean it limits the size of the facility?
- I have concerns about the sq.ft.
- Does the applicant have a problem with the change in condition #1 of the CIP?
- Due to an increase in traffic going to the new Wal-Mart we need to keep the decel lanes in the CUP.

Seven (7) members of the public comments/concerns follow:

- We don’t want neighborhood retail in our area. We need a sign of good faith as to what the builders say they will do will take place. No surprises.
- Unless the sq.ft. has been modified the size of the buildings on the maps noted are too large for the zoning.
- We would compromise and have only one-story neighborhood office.
- I purchased my home here because there was **no** retail.
- I’m opposed to all developments as it decreases our property value.
- I’m concerned that if this property is sold to someone else they could come back saying they want neighborhood retail. They could build a pizza parlor or ice-cream store and we don’t want that here.

A health care consultant for dentist Dr. Jones looking at this property said they are very interested in opening a medical boutique. The facility would be developed in good taste.

One member of the public stated she had good faith in what ever the Bachman's developed like the Moorings. Also she was in favor of a medical office.

Schreck finished by thanking everyone who had attended the last neighborhood meeting and had worked hard on DAB to come to a decision on the request. I feel we have accomplished a lot even though some residents are still not to happy about the final decision.

***** **Action:** The District VI Advisory Board made a motion to recommend Approval (**Schreck/Carr 7-2 Skaff/Foster**) to the City Council of the zone change request and CUP as presented per staff recommendations and to leave in condition #1 under the Community Unit Plan DP-311 pertaining to the decel lanes.

Board Agenda

10. Problem Properties

Graffiti: 28th and Market on the SW corner

Graffiti: 15th Broadway

Paul's Place near Central and West streets: The trailer holding the business sign looks really bad. We need better clarification on legal signage.

Randleas asked if there was any new information on horses that had been previously discussed.

***** **Action:** Receive and propose appropriate action.

11. Neighborhood Reports

Benjamin Hills: Will be hosting USD 259 to discuss the bond issue. Everyone is welcome to attend. The meeting starts at 7 pm at St. Andrew's Church.

Old Town: Thursday, April 24th will be hosting a wine tasting festival. **Claycomb** stated he would check on the tickets for the event.

River Cleanup: Saturday, May 3rd from 10am -12pm annual clean-up and everyone is to meet at the SE corner of Lawrence Dumont. Bring gloves and sturdy shoes.

Foster stated he had something to share and read an announcement in a government journal honoring **Vice Mayor Sharon Fearey** who received the Kansas Park and Recreation's 2008 Distinguished Elected Official Award. The award is given to an elected official who has demonstrated outstanding support for quality of life improvements. Congratulations were given to **Fearey** by all.

*******Action:** Receive and file.

Updates from the Councilmember

- Mayor's Youth Council Advisory: this Council will assist youth to view city issues and teach leadership. **Fearey** stated she needed to appoint someone from DAB to assist with the program and asked for volunteers. It was mentioned that maybe the director of the new Bridges residence could be asked to serve.

Announcements

- **Next DAB meeting will be held on Wednesday – April 16, 2008**

With no further business to discuss the meeting adjourned at 8:45p.m. (**Carr/Claycomb 9-0**)

Guests

William Neil	2341 Harborlight
Tom Kneil	6110 Edinburg Thomas.kneil@wichita.edu
Jessica Mounts	jessicam@up.ste.ksus
Joe Robertson	2925 N Arkansas
Jim Johnson	1211 Perry
Stan Dutor	814 Greenway Ct
Jim Winter	2839 Keywest Ct
Christine Eberle	1814 Joann N.W. Big River NA
Roger Norton	343 N. Young
Fred Graus	328 N. Florence
Rich Olivenson	2635 Keywest
Barry Carroll	1134 N. Coolidge barrycarr@aol.com RCA
John Dittmer	823 Litchfield RCA
Pat O'Connor	2401 W. 27 th N Benjamin Hills
Kathy New	2341 W. Harborlight Harbor Isle
William Knispel	3134 N Jackson billyknispel@hotmail.com
Mary Rivers	6027 N Meridian Marylou_rivers@yahoo.com
David & Jayne Peterson	2812 W. Bentbay Circle
Debra Foster	400 W. Central #105 debrafoster@ricefoster.com
Marlene & Ken Marrotte	2301 Harborlight Harbor Isle
Kurt Bachman	5025 Harborside Ct. the Moorings kurte@kurtbachman.com
Nicki Solce	3226 Keywest Moorings
Rod & Susan Opliger	4914 N. Harborside Drive the Moorings
Joanne Dawson	2913 Bayview the Moorings
Kevin Barry	4747 Cobblestone the Moorings
Richard Gvonnger	9264 N. Hoover
Helen Simon	7700 W 61 St N.
MF Mitchell	

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant